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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

IRA GREEN,

Plaintiff,

v.

JOHN CHAKOTOS,

Defendant.

Case No. 1:11-cv-01611 LJO DLB PC

ORDER DIRECTING CLERK OF COURT TO  
RETURN LODGED THIRD AMENDED  
COMPLAINT

[ECF No. 51]

Plaintiff Ira Green, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on September 22, 2011. This action is proceeding on Plaintiff's Second Amended Complaint, filed on May 3, 2013, against Defendant John Chakotos for a claim of deliberate indifference in violation of the Eighth Amendment. Defendant filed an answer to the Second Amended Complaint on August 25, 2014, and the Court issued a scheduling order on August 26, 2014. Currently, the case is in the discovery phase.

On October 2, 2014, Plaintiff lodged a Third Amended Complaint. Plaintiff did not move to file a Third Amended Complaint, and the Court finds no reason to file the lodged complaint at this time.

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**ORDER**

Accordingly, the Clerk of Court is DIRECTED to return the lodged complaint [ECF No. 51] to Plaintiff.

IT IS SO ORDERED.

Dated: October 15, 2014

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE